

It might be worth reminding the deniers what NASA says. The National Aeronautics and Space Administration—NASA—says this about climate change and our global temperature rising.

All three global surface temperature reconstructions show that Earth has warmed since 1880. Most of this warming has occurred since the 1970s, with the 20 warmest years having occurred since 1981 and with all 10 of the warmest years occurring in the past 12 years. Even though the 2000s witnessed a solar output decline resulting in an unusually deep solar minimum in 2007–2009, surface temperatures continue to increase.

On ocean temperatures and sea level rise, NASA said:

The oceans have absorbed much of this increased heat, with the top 2,300 feet showing warming of 0.302 degrees Fahrenheit since 1969. Global sea level rose about 6.7 inches in the last century. The rate in the last decade, however, is nearly double that of the last century.

On ocean acidification, this quote from NASA:

Since the beginning of the Industrial Revolution, the acidity of surface ocean waters has increased by about 30 percent. This increase is the result of humans emitting more carbon dioxide into the atmosphere.

Let me say that again:

This increase is the result of humans emitting more carbon dioxide into the atmosphere. The amount of carbon dioxide absorbed by the upper layer of the oceans is increasing by about 2 billion tons per year.

NASA scientists put a man on the Moon. NASA scientists have a rover right now driving around on the surface of the planet Mars. They are not the quacks. Our Nation's best and brightest minds accept the evidence of climate change and they are urging us to act.

Yet still, for some in this body, the deniers carry the day. Why? In a week-end editorial entitled "Flight from Facts"—"Flight from Facts"—my home State Providence Journal said:

[The] GOP is winning the race to avoid evidence—some of this escapism based on a desire to hold on to what had been comforting, if error-based, traditional beliefs, and some of it to avoid policies that might be economically and otherwise inconvenient.

Whatever the reason, the price of our folly will be very high for future generations.

One of the things I have noticed on this floor is that when it is a question of putting the cost of taking care of their grandparents on our children and grandchildren, oh, how the Republican crocodile tears flow about that unfair burden on children and grandchildren. In one of their attacks on Medicare and Social Security, which the Republicans like to call entitlements, we heard this:

We have got a serious spending problem here . . . and we need to have an impact on entitlements . . . if we're going to have entitlements for our children and grandchildren when they reach retirement age, we have got to change the trajectory.

The minority leader has also spoken about what appears in his remarks to be the health care bill—the ObamaCare

bill—and he worried about it "creating a more precarious future for our children."

The minority leader has said this about the stimulus effort to get our economy back on its feet: "This needs to stop for the future of our country and for our children and for our grandchildren."

When it is the deficit, he has urged us "to make sure we have the same kind of country for our children and grandchildren that our parents left for us." He has even talked about "the Europeanization of America," and as a result of that Europeanization of America—whatever that is—he has said, "Our children and grandchildren could no longer expect to have the same opportunities that we've had."

On virtually every traditional anti-Obama Republican tea party bugbear—Medicare, ObamaCare, the stimulus, the deficit, even this Europeanization of America—out come the children and grandchildren. Let's assume they are sincere. Let's assume they have a sincere concern for what we are leaving to our children and grandchildren.

So when it comes to big corporate polluters of today leaving our children and grandchildren a damaged and more dangerous planet, where then is the concern for those children and grandchildren? To have children and grandchildren pay for the care of their grandparents through Medicare and Social Security is some kind of sin or outrage, but to force on those same children and grandchildren the untold costs and consequences of the harms done by today's corporate polluters, what do they have to say about that? For that, the future generations' interests receive nothing from the Republican Party but stony silence or phony and calculated denial.

But the cost will be on them. The cost of our negligence and folly in not addressing our carbon pollution will fall on our children and our grandchildren. The cost will be on them and the shame will be on us.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WICKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered.

Mr. WICKER. I ask unanimous consent to speak as if in morning business for up to 6 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RUSSIA TRADE RELATIONS

Mr. WICKER. Mr. President, in a few moments the distinguished chair of the Finance Committee and the Senator from Utah will commence debate on H.R. 6156, the Russia and Moldova

Jackson-Vanik Repeal and Sergei Magnitsky Rule of Law Accountability Act of 2012. Because of scheduling concerns, I am speaking on this in morning business, and that will allow time for other Members to speak.

I come to the floor today to support this bill. It has a very important twofold purpose: It approves normal trade relations with Russia, and at the same time the legislation insists that the Russian Government adhere to the rule of law. It does so by putting consequences in place for those in Russia who abuse basic human rights.

Granting PNTR to Russia is a big win for Americans. If Congress does not act, American workers, including millions employed by small businesses, stand to lose out to foreign competitors as Russia opens its market as a new member of the WTO.

Many in my home State of Mississippi and around the country deserve to benefit from increased trade that this new relationship would bring. More jobs and greater economic growth are our potential rewards here in the United States. Last year Mississippi's \$55 million in exports to Russia helped support an estimated 170 jobs. Certainly this number needs to grow, and I believe it will under this legislation.

Yet in realizing the immense trade potential at hand, we cannot ignore the urgent need to address serious concerns about Russia's appalling human rights record. Most agree that the Jackson-Vanik amendment currently in place is an outdated restriction on trade which could hurt American competitiveness. But repeal alone will not suffice when dealing with a country that continues to protect corrupt officials, and that is what the Russian Government continues to do.

The Sergei Magnitsky Rule of Law Accountability Act is a necessary replacement for Jackson-Vanik. The legislation targets human rights violators by imposing restrictions on their financial activities and travel. It recognizes that the privilege of using America's banking system and acquiring a U.S. visa should be denied to those who disgrace human dignity and justice.

Facts need to be retold today about the case of Sergei Magnitsky after whom this legislation is named. Sergei Magnitsky was a lawyer and partner with an American-owned law firm based in Moscow. He was married and had two children. In his investigative work on behalf of the Hermitage Fund, the largest foreign portfolio investor in Russia, Mr. Magnitsky uncovered the largest tax rebate fraud in Russian history. He found that Russian Interior Ministry officers, tax officials, and organized criminals had worked together to steal \$230 million in public funds.

In 2008 Mr. Magnitsky voluntarily gave sworn testimony against officials from the Interior Ministry, Russian tax departments, and the private criminals whom he discovered were complicit in the fraud. A month later, instead of being commended for doing the right

thing, Mr. Magnitsky was arrested in front of his wife and children and placed in pretrial detention. He was held without a trial for 1 year. The Russian Federal Security Service deemed Mr. Magnitsky was a flight risk to prolong his detention, based on false claims that he had a U.K. visa application.

While in custody, Mr. Magnitsky was tortured by officials, hoping he would withdraw his testimony, and falsely incriminate himself and his client. Refusing to do so, his conditions and his health worsened. He stayed in an overcrowded cell with no heat, no sunlight, and no toilet. The lights were kept on throughout the night to deprive him of sleep. Mr. Magnitsky lost 40 pounds and suffered from severe pancreatitis and gallstones.

Months went by without any access to medical care. Despite hundreds of petitions, requests for medical examination and surgery were denied by Russian Government officials. So were family visits. After his arrest Mr. Magnitsky saw his wife once and never again saw his children.

On November 13, 2009, Sergei Magnitsky's condition deteriorated dramatically. Doctors saw him on November 16. He was transferred to a Moscow detention center that had medical facilities and, instead of being treated there immediately, he was placed in an isolation cell, handcuffed, beaten, and subsequently Sergei Magnitsky died.

After his death, Russian officials repeatedly denied the facts surrounding his health condition. Requests by his family for an independent autopsy were rejected. Detention center officials said Mr. Magnitsky's abdominal membrane had ruptured and that he died from toxic shock. The official cause of death would blame heart failure.

According to the Russian State Investigative Committee, Mr. Magnitsky was not pressured and tortured but died naturally of heart disease. The committee said his death was "nobody's fault."

For 3 years not a single person has been prosecuted for Mr. Magnitsky's false arrest, torture, murder, or for the massive fraud that he had the courage to expose. Like many of my colleagues, I continue to have real concerns about the current state of human rights and rule of law in Russia. I have come to the floor on numerous occasions demanding accountability for Russia's rampant extrajudicial offenses.

Tragically, Mr. Magnitsky is not the only victim of the country's criminal regime. The cases of Mikhail Khodorkovsky and Planton Lebedev, who remain in prison, are also poignant examples of the corruption that pervades the Russian Government. My friend, the junior Senator from Maryland, has shown tremendous leadership on this issue and I commend him for his steadfast dedication to the highest standard of democracy and justice. I have long supported Senator CARDIN's

efforts to use the Magnitsky Act as a way to protect human rights globally.

The Magnitsky Act is a simple straightforward call for justice. It signals to the world that America will uphold its commitment to the protection of human rights and the rule of law. It is a tool that could be extremely powerful in penalizing human rights violators everywhere. Many of us had hoped to achieve a bicameral consensus in applying the Magnitsky Act globally. Although global language is not included in the House bill being considered today, sanctions against human rights violations in Russia and within the Russian Government are still an important victory. It moves us in the right direction.

I hope we can work in the next Congress to consider broadening the reach of the Magnitsky Act. Russia is not alone in its human rights abuses and the United States' unwavering stance against corruption should not stop there.

PNTR with Russia is an important vehicle for American trade and it should serve as a reminder of our country's role in promoting the advancement of human rights. At the same time, I remain committed to supporting this role as we move forward.

Mr. HATCH. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EXTENSION OF MORNING BUSINESS

Mr. KERRY. Mr. President, I ask unanimous consent that morning business be extended until the majority leader comes to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator is recognized as in morning business.

#### RUSSIA-MOLDOVA PNTR

Mr. KERRY. Mr. President, the chairman of the Finance Committee, Senator BAUCUS, is tied up right now with a scheduling conflict, working on the fiscal cliff issue, so he asked me if I would kick off the debate with respect to the Russia PNTR, H.R. 6156, the Russia and Moldova Jackson-Vanik Repeal and Sergei Magnitsky Rule of Law Accountability Act of 2012.

I am very happy to do this on behalf of Senator BAUCUS. We share a great partnership together as chairman of our two committees focused on trade and on the relationship with Russia, both of which come together in the legislation today.

I would be remiss, however, if I didn't say a word about what consumed us yesterday with the vote on the disabilities treaty. It is certainly a moment that stands out in my memories of my time in the Senate. I can't think of any other time when a former majority leader has come to the floor—a veteran—who sought to have his colleagues join together in supporting something that would improve the lives of people with disabilities.

I am not going to go back and reargue it now. That would be fruitless and I think not helpful to where we want to move to. What we want to move to is a place where we can pass this. I can say—I believe this—I can say to Senator Robert Dole that we will pass the disabilities treaty and we will pass it, I believe, early next year. I base that on the fact that some Senators had difficulties with the fact that we are in a lame-duck session and they had signed a letter which, regrettably, some of them didn't digest completely but nevertheless signed, saying they wouldn't take up a treaty in a lame-duck session and I think some felt compelled by that and others felt compelled by other things.

But here is what I think we can do. Starting next year, I believe we can move to additional hearings that can make crystal clear to all colleagues the state, as it may not have been yesterday in some cases, with respect to both the law and the facts as it applies to persons with disabilities. I pledge now to make certain that within the resolution of advice and consent, any concern that was not adequately addressed—I personally believe they were addressed—it is possible we can find the language that will address the concerns of any Senator who yesterday felt—whether it was the United Nations or homeschooling, I believe those things can be adequately addressed. I do know a number of Senators said they would be prepared to vote for it after we are out of the lame-duck session, and I am confident we will pass the disabilities treaty in a different atmosphere and in a different time.

One of the things I learned from my senior colleague Ted Kennedy, who did this for so many years, is that perseverance pays off when the issue is worth fighting for and we always have another day and another vote in the Senate. That always affords us the opportunity to make things right. We are certainly going to try and do that.

This PNTR-Magnitsky bill is, in fact, one of those opportunities where we can start to put the Senate on the right track, and I think all of us look forward to the chance to be able to do that.

This bill passed the House of Representatives by a huge margin of 365 to 43. What it would do is establish permanent normal trade relations for Russia, and it would require the identification and imposition of sanctions on individuals who are responsible for the detention, abuse and death of Sergei